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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,891	02/20/2004	Gregory E. Aldridge	8233-10	7638

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WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP
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EXAMINER
BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
2179	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
		10/783,891	ALDRIDGE, GREGORY E.
Office Action Summary		Examiner	Art Unit	
		X. L. Bautista	2179	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>25 April 2008</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-21</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claims 1-3, 7-14, 18, 19 and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mikhail et al** (US 7,246,324 B2), **Wei** (US 6,654,784 B1) and **Srivastava et al** (US 2002/0120685 A1).

Claims 1 and 11:

     Mikhail discloses a system and method for displaying data using applets within hidden frames on a browser (abstract; col. 1, lines 30-61). Mikhail teaches requesting a browser application to be retrieved from a server, the application requiring no web components to be installed before using the application other than a web browser (col. 1, lines 47-61); receiving a page from the server that contains code for a user interface for the application (col. 2, lines 34-49; col. 4, lines 39-53); displaying the user interface

containing content windows (col. 10, lines 23-50; figs. 4A, 4B); determining that at least one piece of data needs to be retrieved from a data source; from a hidden frame in the page (figs. 7 and 9; col. 12, lines 7-31, 46-62), sending an asynchronous request to the server (col. 8, lines 33-67; col. 9, lines 1-6; col. 17, lines 14-19); receiving the piece of data from the server; and using the piece of data (col. 1, lines 30-61).

Mikhail does not teach that an application that does not require web components. However, **Wei** discloses a method and computer system for executing a rich application, wherein the server sends a page and a client side script to the client computer, which converts the page and the script into an application user interface including GUI controls (abstract). Wei teaches that the invention uses JavaScript/DHTML powered web pages as client programs instead of using java applets (col. 4, lines 38-46; col. 8, lines 26-31, 42-55). Wei explains that the application is presented to the client computer via an HTML-based Graphical User Interface (col. 5, lines 1-4) and that no programs are downloaded (col. 6, lines 38-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mikhail's method of providing an application and requesting data to include Wei's teaching of using client-side script contained in a web page to request data from the server and use it in the generated application, instead of using web components because, as Wei says, downloading web components or installing specialized client programs for the user interface takes a not small amount of time over corporate networks and the Internet, and the user has to do this each time an application is to be

run, and in case of an applet, it needs to be initialized, which adds more traffic to the

congested network, and the waiting time to start a program is simply too long.

Mikhail/Wei does not specifically teach sending an asynchronous request to the

server. However, **Srivastava** discloses a system and method for providing and

delivering data from a plurality of different resources to users in ways that permit

programs to process and integrate that data for the user (abstract). Srivastava teaches

a Dynamic Services Framework that provides infrastructure and logic for abstracting the

access of different resources with a single standard interface (page 2, par. 0013).

Srivastava explains that service engines accepts requests and invokes appropriate

components through a communication interface, which allows asynchronous

communication (page 18, par. 0378). Thus, it would have been obvious to one

ordinarily skilled in the art at the time of invention to modify Mikhail/Wei's invention to

include Srivastava's teaching of sending asynchronous requests for receiving data

because, as Srivastava says, the client's call is non blocking so it will not block the

caller and it will maintain the scalability and efficiency of the system.

Claim 2:

See claim 1. Mikhail/Wei/Srivastava teaches user interaction with the interface of

the application while the request for the piece of data is pending (Srivastava: page 18,

par. 0378).

Claims 3 and 14:

Mikhail teaches a request for a piece of data is based on a specific action taken

by the user that requires the piece of data to be requested (col. 12, lines 32-38; fig. 8).

Claim 7:

The content windows have content displays that can be customized by the user whenever new information is displayed in response to the user's requests.

Claims 8 and 13:

Mikhail teaches content windows displaying at least one piece of content that is selected from at least a web service (col. 2, lines 56-67), database (col. 3, lines 57-67), a report (col. 6, lines 10-20), a file (col. 7, lines 6-11), page (col. 10, lines 43-50; col. 12, lines 32-35).

Claim 9:

Mikhail teaches content having at least tables (col. 3, lines 48-55) and a list (col. 13, lines 48-67; col. 14, lines 1-29).

Claim 10:

Mikhail teaches a notification server, a notification application (fig. 1; col. 2, lines 45-49) and a browser notification (col. 3, lines 15-20; col. 4, lines 21-24). Mikhail teaches a notifier object to indicate or notified that an event, such as changed data, has occurred (col. 4, lines 39-53).

Claims 12 and 19:

Mikhail teaches web documents displaying a plurality of content such as static data and dynamic data (fig. 4B; col. 1, lines 37-46; col. 10, lines 40-61).

Claim 18:

See claim 1. Mikhail teaches a system having a server computer, a client computer, and a browser-based user interface having multiple content windows (abstract; col. 1, lines 7-9, 47-61; fig. 1). Mikhail teaches using application business logic for retrieving requested data from a source (col. 2, lines 56-67; col. 5, lines 11-18). Mikhail explains that users may need to be authorized to access data (col. 7, lines 18-56; col. 8, lines 1-6).

Claim 21:

Mikhail teaches a Sybase server having multiple programs or applications, such as a Sybase database and a notification (reporting) server; and an application server also including multiple programs, such as trading applications and notification (reporting) application (fig. 1; col. 2, lines 34-49; col. 4, lines 26-32, 39-53).

4.   **Claims 4 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mikhail/Wei/Srivastava** and **Datta (US 6,622,168 B1).**

Claims 4 and 15:

Mikhail/Wei/Srivastava does not teach that the request for data is based on a prediction of a future data that is likely to be needed and wherein the data is then only used in the application if needed. However, **Datta** discloses a system and method for generating web page content or components, wherein data is provided based on a prediction of a future data. Datta explains that the system has a preloader that works in

conjunction with a web/app server to cache web page content for faster on-demand and

anticipatory dynamic web page delivery (abstract; col. 3, lines 7-42). Datta teaches a

replacement policy that utilizes predictive information to make replacement decisions,

wherein the policy uses a profile server that predicts a user's next content request

(abstract; col. 3, lines 7-25). Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to modify Mikhail/Wei/

Srivastava's method of providing data to include Datta's teaching of using predictive

knowledge because users are provided with personalized content that most likely will be

of the user's interest and it also improves performance by minimizing page download

time, which is convenient for successfully conducting commerce online.

5.   **Claims 5, 6, 16, 17 and 20** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Mikhail/Wei/Srivastava** and **Rubin et al** (US 7,185,274B1).

Claims 5, 16 and 20:

        Mikhail/Wei/Srivastava does not specifically teach that the user interface does

not change pages as the user interacts with the application. However, **Rubin** discloses

a computer user interface wherein user content documents and user interface

documents are both displayed on a single viewing frame (abstract). Rubin teaches a

Personal Viewer User Interface (PV UI) that can include a single-display PV UI and/or a

dual display. Rubin explains that, for the dual-display, when an action is invoked from a

link initiated on the left display, the new page opens of the right display; and for a single-

display PV UI, the current image is simply replaced by the new page (col. 16, lines 33-47). Ruben teaches that the PV UI may be divided into regions in which different content may be displayed; each region may be individually navigated without changing focus or window state; each region may include concurrently active links that may be activated without changing focus. Ruben explains that this is referred to as page pinning, which provides access to and interaction with multiple sources of content concurrently. Thus, it would have been obvious to one ordinarily skilled in the art at the time of invention to modify Mikhail/Wei/Srivastava's method of providing information to include Ruben's teaching of using a single-page to display multiple screens having different information because the user is not driven or distracted away from a host Web site while submitting user data, and the user is not forced to wait while a new webpage is downloaded into their computer's browser, and also because this type of interface is capable of running separate applications or display regions having state information associated with each of them, all displayed on a single interface and enabling the user to interact with any display region; and all of these different regions may be capable of sharing user interface controls.

<u>Claims 6 and 17:</u>

Mikhail teaches a user interface resembling a client-server application (col. 1, lines 11-23, 30-61; col. 2, lines 34-49).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/X. L. Bautista/
Primary Examiner, Art Unit 2179

July 16, 2008